



Certificate of Need Task Force

September 22, 2005

Summary of Issues Reviewed by the Task Force with No Changes Recommended

- **Scope of CON Coverage**

- Hospice Services
- Obstetric Services
- Open Heart Surgery
- Organ Transplant Surgery
- NICU Services

- **CON Review Process**

- Interested Parties
- CON Review Schedule
- Site Visits and Local Hearings for All Major CON Projects

Summary of CON Task Force Recommendations and Type of Change Required: Scope of Coverage, State Health Plan, and CON Review Process

Recommendation	Statutory Change	Regulatory Change	Administrative Change
<p><u>Scope of CON Coverage</u></p> <ul style="list-style-type: none"> •Increase the capital expenditure review threshold from \$1.25 to \$10.0 million •Remove home health agency from the definition of “health care facility” •Remove requirement for public informational hearing for hospital closures in jurisdictions with more than two hospitals; remove requirement to obtain an exemption from CON review for hospital closures in jurisdictions with fewer than three hospitals •Expand the existing business office equipment exemption to include health information technology/medical information systems [§19-120(k)(5)(iii)] •Develop streamlined (“Fast Track”) CON review process for hospital renovation and new construction projects with no new services or beds that do not require a partial rate review; issue Staff Report within 60 days and Commission Decision within 90 days or project is deemed approved. •Revise Determination of Non-Coverage requirements for hospitals taking the “pledge” not to increase rates to deem the request approved if not acted upon by the Commission within 60 days 	§19-120	COMAR 10.24.01	
	§19-114(d); §19-120(j)(2)(iii)3	COMAR 10.24.01; COMAR 10.24.08	
	§19-120(l)(1)(ii) §19-120(l)(2)(i)	COMAR 10.24.01	
		COMAR 10.24.01	
	§19-120(k)(5)(viii)	COMAR 10.24.01	
	§19-120(k)(5)(viii)	COMAR 10.24.01	

Summary of CON Task Force Recommendations and Type of Change Required: Scope of Coverage, State Health Plan, and CON Review Process

Recommendation	Statutory Change	Regulatory Change	Administrative Change
<p><u>State Health Plan</u></p> <ul style="list-style-type: none"> •Conduct comprehensive review and update of the State Health Plan: <ul style="list-style-type: none"> ○Prioritize the update of the Acute Inpatient Services and Ambulatory Surgical Services chapters of the State Health Plan ○Add policies to the Acute Inpatient Services chapter of the State Health Plan permitting shell space. ○For all chapters of the State Health Plan streamline documentation requirements; eliminate obsolete and duplicative standards; and identify those types of projects eligible for review based on a limited set of standards. •Use the 71.4% occupancy rate assumption implied by the Office of Health Care Quality’s statutory 140% licensing rule as the occupancy rate standard in acute care bed need projections for all services. 		<p>COMAR 10.24.10; 10.24.11</p> <p>COMAR 10.24.10</p> <p>COMAR 10.24.07-12; 10.24.14-15; 10.24.17-18</p> <p>COMAR 10.24.10</p>	

Summary of CON Task Force Recommendations and Type of Change Required: Scope of Coverage, State Health Plan, and CON Review Process

<p><u>Certificate of Need Review Process</u></p> <ul style="list-style-type: none"> •Modify the completeness review and project review process by requiring two conferences as a standard feature of the review of any CON application: (1) an Application Review Conference (ARC) between staff and the applicant, which can be a face-to-face or by telephone conference, scheduled within the approximate time frame at which the staff currently issues completeness questions; and, a Project Status Conference (PSC) between any appointed Reviewer, the staff, the applicant, and any interested parties, in person or by telephone. •Modify the review process by allowing for changes in a project, addressed in the PSC, that bring it in closer conformance with the State Health Plan, based on staff or the Reviewer's analysis, without penalizing such changes by adding more process or time to the review. •Develop automated CON application form; require PDF of CON application document; develop standard form for filing requests for Determinations of Non-Coverage; provide website access to CON filings. 		COMAR 10.24.01	
		COMAR 10.24.01	
		COMAR 10.24.01	Prepare automated application forms for CON review and Determinations of Non-Coverage; design CON website; revise CON database.

Work Plan to Update Acute Inpatient Services

Chapter of the State Health Plan

Phase I - Policies and Standards

Date	Task
October, Week #1	Establish Technical Advisory Group and meeting schedule
October, Week #3 or 4	TAG Meeting #1: Review and discuss format of revised SHP
November, Week #1	TAG Meeting #2: Review and discuss revised policies and standards
November, Week #2	TAG Meeting #3: Review comments and additional discussion on revised Plan
December 15 Commission Meeting	Commission approval for release as proposed permanent regulation for AELR review, publication, and formal public comment
March 2006 Commission Meeting	Response to comments and revisions to Plan, for final adoption by Commission if no substantive changes

Phase II - Bed Need Projections

Date	Task
October through December	Convene MHA/MHCC bed need work group
March 2006 Commission Meeting	Commission approval for release as proposed permanent regulation for AELR review, publication, and formal public comment
June 2006 Commission Meeting	Response to comments and revisions to Plan, for final adoption by Commission if no substantive changes

Next Steps

- Final Task Force Meeting (*October 4, 2005*)
- Forward Report and Recommendations to the Commission (*October 19, 2005*)
- Circulate Report for Public Comment (*October-November 2005*)
- Final Commission Action (*November 2005*)
- Develop Implementation Plan (*October-December 2005*)